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EAST YARD COMMUNITIES FOR ENVIRONMENTAL JUSTICE
CLEAN AIR NOW * SIERRA CLUB CALIFORNIA
GREEN SCHOOLS INITIATIVE * COALITION FOR CLEAN AIR**

November 18, 2010

Janette M. Brooks, Chief
Air Quality Measures Branch
California Air Resources Board
1001 "I" Street
P.O. Box 2815
Sacramento, CA 95812
Via e-mail

Re: 2010 Consumer Products Regulation Amendments

Dear Ms. Brooks:

I am writing to comment on the proposed amendments to the 2010 Consumer Products Regulation, which is to be considered in November.

We applaud your agency's efforts to reduce emissions of volatile organic compounds (VOCs) and greenhouse gases (GHGs) from consumer products in efforts to help protect the health of California residents, consumers and workers.

Nearly 1 million schoolchildren in California have asthma, and teachers and custodians have been found to have higher rates of asthma than the general workforce by the National Institute for Occupational Safety and Health (NIOSH). Furthermore, NIOSH's research also shows that a significant amount of the work-related asthma exacerbations can be attributed to exposure to cleaning products. But most importantly, conventional cleaning products can contain carcinogens, reproductive toxins, neurotoxins, endocrine disruptors and chemicals that cause asthma. That is why we think this regulation, although not perfect, is a big step in the right direction towards protecting workers, consumers and children from exposure to smog-forming emissions and other toxic chemicals.

We want to highlight staff's improvements on this proposal and commend them for their foresight in addressing the following issues:

1. We strongly support the proposed reductions to all the categories in this regulatory process. Specifically, we support the proposed VOC limits on General Purpose Cleaners and General Purpose Degreasers. As you may be aware, in developing the Clean Air Choices Certification Program, South Coast Air Quality Management District (SCAQMD) staff has conducted testing and researched a number of products that comply with this requirement.¹ These reduced VOC products are commercially and technologically feasible and comply with this regulation. Therefore we are very supportive of CARB's decision to also prohibit *alkylphenol ethoxylate surfactants* in the following products:
 - "General Purpose Cleaner" (nonaerosol)
 - "General Purpose Degreaser" (nonaerosol)
 - "Glass Cleaner" (nonaerosol)
 - "Heavy-duty Hand Cleaner or Soap" (nonaerosol)
 - "Oven or Grill Cleaner"

These prohibitions are proposed—as mitigation measures developed in accordance with the California Environmental Quality Act (CEQA)—to ensure that these compounds, which are known to be toxic to aquatic species, are not used as alternate ingredients in products reformulated to meet the proposed VOC limits.

2. We are very pleased with the prohibition of compounds with global warming potential (GWP) values above 150—to prevent the use of such compounds as products are reformulated to meet proposed VOC limits—in the following categories:
 - "Flying Bug Insecticide"
 - "Furniture Maintenance Product"

¹ Laki Tisopulos. South Coast Air Quality Management District. SCAQMD Comments Letter, April 27, 2010.

- “Metal Polish or Cleanser”
 - “Special-purpose Lubricant”
 - “Spot Remover”
 - “Wasp or Hornet Insecticide”
3. We strongly support CARB’s prohibition of methylene chloride, perchloroethylene and trichloroethylene in the following categories and look forward to seeing these prohibitions in other categories as well:
- Spot Remover for Dry Clean Only
 - Silicone-Based Lubricant
 - Special-Purpose Lubricant
 - Metal Polish or Cleanser
4. We support CARB’s approach with respect to the potential increased use of certain toxic low vapor pressure (LVP) solvents. We believe that there are sufficient cost-competitive products on the market that are within the proposed VOC limits and that are not formulated with these solvents. In addition we support CARB’s approach to pursue lower VOC limits, while concurrently reviewing and tracking the use of these LVP solvents as the preferred, prudent course of action.
5. Finally, we hope to soon hear a report back from staff regarding CARB’s commitment to develop an Airborne Toxic Control Measure (ATCM) to mitigate methylene chloride emissions from Paint Remover or Stripper products. We encourage you to direct staff to continue working and move forward with this process as soon as possible.

We understand your staff has evaluated the products reported in the 2006 survey of Paint Removers and Strippers to reduce VOC emissions and ban the use of methylene chloride. Since January 1, 2005, the VOC limit for these products has been 50 percent by weight. Methylene chloride, however, is the most common ingredient; it is used by more than 50 percent of reported products, with concentrations ranging between 17 and 93 percent by weight. Therefore, we commend this work and are very hopeful about the possibility of regulating this chemical in the near future.

Again, thank you for your commitment to regulate VOCs in consumer products. We are very hopeful about this regulation’s potential to help protect the health of California residents, consumers and workers who deal with these products on a daily basis.

We look forward to continuing our work with you on this issue.

Sincerely,

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Cc (via electronic mail):

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